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Attorneys for Defendant
AMERICAN HONDA MOTOR CO., INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BEVERLY BALLETTTO, individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

AMERICAN HONDA MOTOR CO.,
INC.,

Defendant.

Case No.: 4:23-cv-01017-JSW
Hon. Jeffrey S. White

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE THE
INITIAL CASE MANAGEMENT
CONFERENCE AND RELATED
DEADLINES AS MODIFIED HEREIN**

Action Filed: March 6, 2023

1 Pursuant to Civil Local Rule 6-1(b), Plaintiff Beverly Balletto and Defendant
2 American Honda Motor Co., Inc., by and through their attorneys of record, stipulate
3 and agree as follows:

4 WHEREAS, Plaintiff filed her Complaint on March 6, 2023 (ECF No.1);

5 WHEREAS, by order issued on March 7, 2023, the Court scheduled an Initial
6 Case Management Conference for June 6, 2023 at 2:00 p.m. and set associated
7 deadlines pursuant to the Federal Rules of Civil Procedure, the Civil Local Rules,
8 and the Alternative Dispute Resolution Local Rules (ECF No. 4);

9 WHEREAS, on March 10, 2023, following reassignment of the above-
10 captioned case to the Honorable Jeffrey S. White, the Court reset the Initial Case
11 Management Conference for June 9, 2023 at 11:00 a.m. (ECF No. 9);

12 WHEREAS, Defendant filed its Motion to Dismiss on April 28, 2023 (ECF No.
13 14);

14 WHEREAS, the parties filed a stipulation on May 8, 2023 requesting to
15 extend the briefing schedule for Plaintiff's response to the Motion to Dismiss and
16 Defendant's reply in support of its Motion to Dismiss (ECF No. 17);

17 WHEREAS, by order issued May 8, 2023, the Court ordered Plaintiff's
18 response to the Motion to Dismiss shall be due on June 8, 2023 and Defendant's
19 reply in support of its Motion to Dismiss shall be due on June 23, 2023 (ECF No.
20 18);

21 WHEREAS, the Court further ordered that the hearing on Defendant's
22 Motion to Dismiss shall be on July 7, 2023 at 9:00 a.m. (ECF No. 18);

23 WHEREAS, the parties respectfully submit that, because the pleadings are
24 not yet settled, good cause exists to continue the Initial Case Management
25 Conference and related deadlines, including those for ADR compliance, until after
26 the hearing on Defendant's Motion to Dismiss, in order to promote efficiency and
27 conserve resources;

1 WHEREAS, by agreeing to request that the Court continue the Initial Case
2 Management Conference and related deadlines, neither party waives any rights
3 regarding discovery;

4 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the
5 undersigned, subject to Court approval, as follows:

6 1. The Initial Case Management Conference set for June 9, 2023 at 11:00
7 a.m. shall be reset to a date convenient to the Court after the issuance of an order
8 on the Motion to Dismiss.

9 2. All case deadlines associated with the Initial Case Management
10 Conference, including those for ADR compliance, will likewise be reset in
11 accordance with the standard deadline extensions in the U.S. District Court for the
12 Northern District of California.

13 Respectfully submitted,

14 Dated: May 15, 2023

15 DTO LAW

16 By: /s/ William A. Delgado
William A. Delgado

17 Attorney for Defendant
18 AMERICAN HONDA MOTOR CO., INC.

19 Dated: May 15, 2023

20 BURSOR & FISHER, P.A.

21 By: /s/ L. Timothy Fisher
L. Timothy Fisher

22 Attorney for Plaintiff
23 BEVERLY BALLETTTO

24 Pursuant to Civil Local Rule 5-1(h)(3), all signatories concur in filing this
25 stipulation.
26

27 Dated: May 15, 2023

28 By: /s/ William A. Delgado
William A. Delgado

~~[PROPOSED]~~ ORDER

After reviewing the Parties' Stipulation to Continue the Initial Case Management Conference and Related Deadlines and good cause appearing, the Court orders as follows:

1. The Initial Case Management Conference set for June 9, 2023 at 11:00 a.m. shall be reset to a date convenient to the Court after the issuance of an order on the Motion to Dismiss.

2. All case deadlines associated with the Initial Case Management Conference, including those for ADR compliance, will likewise be reset in accordance with the standard deadline extensions in the U.S. District Court for the Northern District of California.

IT IS SO ORDERED.

Dated: May 25, 2023


HONORABLE JEFFREY S. WHITE
U.S. DISTRICT COURT JUDGE